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020732-214.539 CIP

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent Application of:)	Docket No.:	020732-214.539 CIP (7496)
Applicants:	KORZENSKI, Michael B., et al.)	Conf. No.:	3117
Application No.:	10/827,395	Art Unit:	1751
Date Filed:	April 19, 2004	Examiner:	Gregory E. Webb
Title:	NON-FLUORIDE CONTAINING SUPERCRITICAL FLUID COMPOSITION FOR REMOVAL OF ION- IMPLANT PHOTORESIST	Customer No.:	24239

FACSIMILE TRANSMISSION CERTIFICATE

ATTN: Examiner Gregory E. Webb
Fax No. (571) 273-8300

I hereby certify that this document is being filed in the United States Patent and Trademark Office, via facsimile transmission to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 1, 2006, to United States Patent and Trademark Office facsimile transmission number (571) 273-8300.

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Number of Pages (including cover)



Lillian Glenn

June 1, 2006

Date

**SUBMISSION OF POWER OF ATTORNEY AND STATEMENT UNDER 37 CFR 3.73(b)
AND RESPONSE TO THE MAY 8, 2006 OFFICE ACTION IN U.S. PATENT
APPLICATION NO. 10/827,395**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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Dear Sir/Madam:

This responds to the May 8, 2006 Office Action in the subject patent application.

Power of Attorney

Applicants have included herewith an executed Power of Attorney form (see **Appendix A**) that revokes the previously filed Power of Attorney and appoints new representation with new Attorney Docket Number **020732-214.539 CIP (7496)**. Applicants previously requested a Change of Correspondence, under separate cover, so that all communications from the USPTO are sent to the following contact and address:

**Tristan Fulerer
Moore & Van Allen, PLLC
P. O. Box 13706
Research Triangle Park, NC 27709**

In addition, pursuant to the new Power of Attorney submitted herein, the Customer Number should be changed from 23448 to 24239.

Restriction/Election

In the May 8, 2006 Office Action, the Examiner imposed a restriction requirement against claims 1-27, and required that an election be made between:

Group I: claims 1-11, drawn to a compositions for removing photoresists,
classified in class 510, subclass 175;

Group II: claims 12-27, drawn to methods for removing contaminants from a
semiconductor substrate, classified in class 134, subclass 1.3.

Applicants hereby elect, with traverse, Group I claims 1-11 drawn to a composition.

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The traversal is based on the fact that the restriction is in error. The removal composition recited in claim 1 is the same as that recited in method of use claim 12, insofar as the specifically recited components of the removal composition are concerned, and thus claim 24 is not independent and distinct from claim 1, as is necessary under 35 U.S.C. §121 as a basis for proper restriction.

It therefore is requested that the restriction requirement be reconsidered, and that all claims 1-27 be retained in consolidated form for further examination and prosecution on the merits.

If the restriction requirement nonetheless is made final, applicants alternatively request rejoinder of method claims 12-27 under the provisions of MPEP §821.04 upon confirmation of allowable subject matter of the Group I claims 1-11.

Such rejoinder would be fully proper under these circumstances for the following reasons.

When an application as originally filed discloses a product and the process for making and/or using such product, and only the claims directed to the product are presented for examination, when a product claim is found allowable, applicant may present claims directed to the process of making and/or using the patentable product for examination through the rejoinder procedure in accordance with MPEP §821.04, provided that the process claims depend from or include all the limitations of the allowed product claims.

In the present application the elected claims 1-11 are directed to a removal composition comprising a supercritical fluid (SCF), at least one co-solvent, and at least one reducing agent, and non-elected claims 12-27 are directed to a method of removing ion-implanted photoresist from a substrate having same thereon using said removal composition. Consistent with the provisions of the MPEP §821.04, when the product claims 1-11 are subsequently found allowable, the withdrawn method claims 12-27 should properly be rejoined for examination.

Conclusion

Based on the foregoing, claims 1-11 are in form and condition for examination. If any additional issues remain, the Examiner is requested to contact the undersigned attorney at (919) 286.8090 to discuss same.

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Respectfully submitted

Date: June 1, 2006

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